



University of Hawaii at Manoa

Environmental Center
Crawford 317 • 2550 Campus Road
Honolulu, Hawaii 96822
Telephone (808) 948-7361

RL:0806A

HB 1685 HD 2 RELATING TO ENVIRONMENTAL IMPACT STATEMENTS

Statement for
Senate Committee on
Agriculture
Public Hearing - March 16, 1989

By
Jacquelin Miller, Environmental Center
John Harrison, Environmental Center
Ray Tabata, Sea Grant
Peter Rappa, Sea Grant

HB 1685 creates an administrative appeal procedure to allow for an aggrieved person to petition an agency for reconsideration of a determination that an Environmental Impact Statement (EIS) is or is not required and establishes a shorter time schedule for the initiation of judicial appeals of such determinations. The bill also adds the Office of Environmental Quality Control to the list of those adjudged aggrieved with regard to the initiation of judicial proceedings as to the acceptance of an Environmental Impact Statement under Section 343-5.

Our statement on this bill does not represent an institutional position of the University of Hawaii.

We have long advocated the need for an administrative appeal procedure and in that regard we appreciate and commend the efforts of this committee to address this need. Those of us who work regularly with the EIS system and the statutory requirements of HRS 343 have sought for many years to establish a procedure for administrative appeal of EIS determinations rather than being forced to initiate costly and time consuming judicial proceedings as the only recourse to questionable determinations. While we would much prefer that the presently proposed appeal procedure be to a neutral third party, such as the Environmental Council, provision for appeal to the agency issuing the determination in question is perhaps an acceptable alternative.